

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 SSO-00 NSCE-00 INRE-00 IO-10

SS-15 NSC-05 L-03 OIC-02 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 /064 W

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O R 301709Z SEP 75

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC IMMEDIATE 5070

INFO AMEMBASSY ATHENS

AMEMBASSY BONN

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY MADRID

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY THE HAGUE

AMEMBASSY VIENNA

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E.O. 11652: NA

TAGS: EAIR, BE

SUBJECT: CIVAIR: RENEWAL AND AMENDMENT OF CHARTER

MEMORANDUM OF UNDERSTANDING

REF: (A) BRUSSELS 8639 (B) STATE 227507 (C) STATE 231007

1. SUMMARY: BELGIAN OFFICIALS ARE EXAMINING U.S. PROPOSAL THAT MOU BE AMENDED AND EXTENDED. THEY HAVE PROMISED TO RESPOND AS QUICKLY AS POSSIBLE, BUT IMPLY THAT THEY WILL NOT BE ABLE TO DO SO UNTIL AFTER ECAC DIRECTOR GENERALS MEET OCTOBER 7-8 IN PARIS. THEY HAVE NOT PASSED
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JUDGMENT ON SUBSTANCE OF MOU PROVISIONS, INCLUDING

PROPOSED NEW PARAGRAPH 7 FOR ANNEX I. THEY HAVE HINTED THAT THEY WILL DESIRE FORMAL CONSULTATIONS BEFORE AGREEING TO RENEWAL. THESE CONSULTATIONS, IF REQUESTED, PROBABLY WOULD HAVE TO INCLUDE TOPICS NOT STRICTLY GERMANE TO THE CHARTER MOU. END SUMMARY.

2. WE MET WITH DE VOGELAERE, DIRECTOR OF COMMUNICATIONS OFFICE OF FONMIN, MORNING OF SEPT. 29, AND WITH VANDERPERREN, DIRGEN OF CIVIL AVIATION, SAME AFTERNOON. THEY BOTH TEMPORIZED REGARDING THE SUBSTANCE OF OUR PROPOSED AMENDMENT (REFTEL B, PARA 4), PROMISING TO STUDY IT AND RESPOND AS QUICKLY AS POSSIBLE. ALTHOUGH AWARE OF PRESSURE FROM ECAC TO DELAY EXTENSION OF BILATERAL UNDERSTANDINGS, DE VOGELAERE WAS NOT MUCH IMPRESSED BY ARGUMENT THAT SUCH DELAY MIGHT SOON CREATE PROBLEMS FOR CHARTER AND SCHEDULED CARRIERS IN PLANNING FOR 1976. HE TOLD US THAT BELGIAN GOVERNMENT WILL RESPOND OFFICIALLY TO OUR PROPOSAL AS SOON AS RECOMMENDATION IS RECEIVED BY FONOFF FROM DIRGEN CIVIL AVIATION (THROUGH MINISTER OF COMMUNICATIONS).

3. VANDERPERREN, CONSIDERABLY MORE FAMILIAR WITH THE ISSUES INVOLVED, ACKNOWLEDGED THAT HE DOES NOT THINK IT PRUDENT FOR BELGIAN GOVERNMENT TO PROCEED ON EXTENSION OF BILATERAL MOU IN ADVANCE OF ECAC DIRECTOR GENERALS MEETING OCTOBER 7-8. HE IS SYMPATHETIC TO THE NEED TO RESOLVE THIS QUESTION PROMPTLY, AND HE PROMISED TO KEEP US INFORMED AS BELGIAN POSITION EVOLVES. "THINKING OUT LOUD," HE MUSED THAT FORMAL CONSULTATIONS WILL PROBABLY BE NECESSARY BEFORE AMENDMENT AND EXTENSION OF THE CHARTER MOU IS AGREED TO. THE BELGIANS WOULD WANT AN AGENDA FOR SUCH TALKS TO BE BROADER THAN THE CHARTER SERVICES ARRANGEMENT ALONE. WE TOLD VANDERPERREN THAT HE WOULD PROBABLY FIND THE USG TAKING LESS FLEXIBLE AND ACCOMMODATING POSITIONS AS THE DISCUSSION DEPARTED FURTHER FROM THE IMMEDIATE INTEREST IN CHARTER SERVICES. HE REPEATED THAT HE WAS UNSURE WHETHER HIS GOVERNMENT WOULD SUGGEST FORMAL TALKS, BUT THAT IT WAS LIKELY. HE DID NOT SPECIFY WHAT TOPICS THE BELGIANS MIGHT PROPOSE TO ADD TO THE AGENDA.

4. COMMENT: JUDGING FROM THESE CONVERSATIONS, THERE IS LIMITED OFFICIAL USE

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LITTLE LIKELIHOOD OF A SUBSTANTIVE RESPONSE FROM THE BELGIANS TO OUR PROPOSAL UNTIL AFTER OCTOBER 8. THE ONLY FACTOR THAT MIGHT STIMULATE THEM TO MOVE FASTER WOULD BE IF ANOTHER ECAC COUNTRY WERE TO RENEW ITS CHARTER BILATERAL WITH THE U.S. THIS WEEK. OTHERWISE, THE BELGIANS ARE NOT YET PREPARED TO PLAY ODD MAN OUT IN ECAC OVER THIS ISSUE. ON THE OTHER HAND, BELGIAN OFFICIALS GIVE THE IMPRESSION OF BEING REASONABLY WELL SATISFIED

WITH THE PRESENT CHARTER UNDERSTANDING AND WITH OUR PROPOSED AMENDMENT. THEY ARE IMPRESSED WITH THE VALUE OF BEING A "CHARTER GATEWAY", AND SEE ACTUAL OR POTENTIAL ADVANTAGES IN THE LIBERAL FIFTH FREEDOM PROVISIONS OF THE PRESENT ARRANGEMENT (REFTEL B, PARAS 3B AND C). IF THE OCTOBER 7-8 MEETING PERSUADES THEM THAT LARGE ECAC MEMBER-STATES ARE USING ECAC TO ADVANCE THE INTERESTS OF THEIR FLAG CARRIERS, THEN THE BELGIANS ARE LIKELY TO PROTECT THEIR OWN POSITION BY FINDING SUFFICIENT JUSTIFICATION TO RENEW OUR BILATERAL PROMPTLY THEREAFTER. THEY WOULD NOT NECESSARILY REFRAIN, HOWEVER, FROM INTERJECTING OTHER TOPICS IN THE HOPE OF OBTAINING ADDITIONAL CONCESSIONS. (VANDERPERREN APPARENTLY DOES NOT YET HAVE SABENA'S VIEWS AS TO HOW THE BELGIAN AIRLINE WOULD LIKE ITS GOVERNMENT TO PROCEED IN THIS RESPECT.)

5. RECOMMENDED ACTION: WE SEE LITTLE LIKELIHOOD OF MAKING FURTHER PROGRESS WITH THE BELGIANS BEFORE ECAC DIRECTOR GENERALS MEETING. IN OUR VIEW, HOWEVER, WE SHOULD PLAN TO PRESS THEM FOR A POSITIVE RESPONSE TO OUR PROPOSAL IMMEDIATELY AFTER THAT MEETING, AND SHOULD HAVE A NEGOTIATING TEAM AVAILABLE TO CONSULT FORMALLY IF REQUESTED, BUT PROBABLY NOT BEFORE OCTOBER 14 (REFTEL B, PARA 1). PLEASE ADVISE.
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